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**The Social Ecology of White-Collar Crime: Applying Situational Action Theory to White-Collar Offending**

**Short title: The Social Ecology of White-Collar Crime**

This paper applies the integrated framework of Situational Action Theory (SAT) to white-collar crime causation - previously unexamined in this perspective, drawing also on data from a small-scale study based on semi-structured interviews with white-collar offenders. The key arguments and findings are discussed around SAT's categories, modified in accordance with white-collar crime particularities: criminogenic propensity; workplace environmental factors, and the individual-environment situational mechanisms. This initial SAT application shows that its constructs can be fruitfully deployed in explaining white-collar crime only to a moderate extent. The findings are not fully supportive of SAT's 'weak law-relevant morality' and deterrence arguments, while SAT's moral correspondence situational mechanism provides a novel way to explain crimes within criminogenic workplace cultures.

Key words: white-collar crime; causation; situational action theory; morality; neutralizations; deterrence

The causality of white-collar crime represents one of the most enduring criminological puzzles. In an attempt to reinvigorate criminological debate and push forward our understanding of white-collar crime causes, the present study builds on the premises of the recently developed Situational Action Theory (SAT) of crime causation. Until now SAT's full and integrated theoretical framework has not been examined in the context of white-collar crime.<sup>1</sup> To establish its explanatory power, empirical data was collected from interviews with white-collar offenders. The insights gathered reiterate the complexity of white-collar crime causation and the fruitfulness of some aspects of SAT's integrated approach, but not of others. After a brief review of SAT's theoretical constructs and a discussion of their application to white-collar crime, the key findings are presented and elaborated in light of SAT's main tenets.

### **Situational Action Theory**

Situational Action Theory of crime causation (Wikström 2006, 2010; Wikström et al. 2012) originates from the premises of social ecology theories of criminality that define crime as a social and behavioral outcome of the interaction between human beings and their environments. It is a complex theory that operates on multiple levels of causation factors, though criminal propensity and criminogenic exposure are outlined as the “key direct causally relevant factors in the explanation of a person's acts of crime” (Wikström et al. 2012: 12).

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<sup>1</sup> A recent study by Craig (2018) assessed SAT's validity in white-collar offending as to only one component of the theory: the effects between morality and low self-control in white-collar offending intentions.

According to SAT, “acts of *crime* are acts that breach moral rules of conduct stated in law” (Wikström et al. 2012: 12), and this means acts designated as crimes by positive criminal law (see Wikström 2010: 11; Wikström et al. 2012: 12-14). The theory suggests that crimes are best explained as moral actions - actions guided by moral rules or rules of conduct stating what is the right or wrong thing to do (or not to do) in a particular circumstance (Bouhana and Wikström 2010; Wikström 2010; Wikström et al. 2012).

This notion of ‘action’ is central to the theory: individuals are motivated to ‘act’ for numerous reasons and they deliberate among a plethora of action alternatives. All human actions, including crimes, are a situational outcome of a perception-choice process – “a process of perceiving action alternatives and making choices in relation to a motivation” (Wikström et al. 2012: 11). This perception-choice process is the situational mechanism linking environmental settings that provide the action alternatives and the individuals that choose between them. Criminal actions are likely to be perceived and chosen as an action alternative when an individual becomes action-motivated as a result of the interplay between his/her personal propensity to offend and the criminogenic features of the environment to which he/she is being exposed (Wikström 2006).

*Criminal propensity* is the tendency to perceive and choose crime as a viable action alternative to a particular motivation (Wikström et al. 2012: 15). Individuals differ in their proneness to criminal actions even if confronted with the same criminogenic settings (Wikström 2006). These differences cause a differential perception and evaluation of the action alternatives provided by the environment, and ultimately, different (criminal or legitimate) actions upon the same motivations. Persons differentiate in their crime propensity as a result of the extent to which their morality and the ability to exercise self-control encourage breaching the moral rules of conduct stated in law (Wikström 2006). Morality influences the process of perception of alternatives and this process is more central to the

explanation of crime than the process of choosing between perceived alternatives in which the ability to exercise self-control takes part (Wikström and Svensson 2010: 312). The theory uses the terminology of ‘weak law-relevant morality’ (Wikström et al. 2012) to account for why people, when they are motivated to act, perceive committing (e.g. white-collar) crime action in the first place.

Morality therefore represents the fundamental individual factor in the causation of acts of crime (Wikström 2006: 101); self-control has only a restricted and supplementary causal power. Law-relevant personal morality is a complex composite, consisted of:

- (1) A person’s *moral rules* of conduct (what action he/she considers right or wrong thing to do in a particular circumstance), and *moral values* (what action he/she regards as good or bad) (Wikström 2010). There is a correspondence between a person’s moral rules and moral values as “people who agree with a rule of conduct generally consider it a good thing to comply with the rule and a bad thing not to” (Wikström et al. 2012: 14), and
- (2) Associated *moral emotions* (shame and guilt) as a “measure of the strength with which a person holds a particular moral rule” (Bouhana and Wikström 2010: 57) or finds particular actions good (virtuous) or bad (reprehensible) (Wikström et al. 2012: 15). The strength of a person’s particular moral rule may be seen as reflected in “how much *shame* (feeling bad in front of others) and *guilt* (feeling bad in front of oneself)” (Wikström et al. 2012: 15) he/she attaches to breaching the rule.

The relationship between the two elements in producing “weak law-relevant morality” is also complex. SAT’s arguments are that an individual will have a weaker law-relevant morality, making him/her more likely to commit the particular act of crime if he/she sees acting criminally to be wrong, but experiences no shame or guilt for acting in such manner (Wikström and Treiber 2009a: 84). A person will also have a “weak-enough” law-relevant

morality if he/she sees nothing wrong with acting criminally coupled with a lack of strong emotions of guilt and shame (Wikström and Treiber 2009a: 85-86).

The second key causal variable, *criminogenic exposure*, represents the person's encounter with settings whose (perceived) moral norms and their (perceived) levels of enforcement (or lack of enforcement) encourage criminal actions in response to particular opportunities to offend (Wikström et al. 2012: 17). Personal propensity is activated by being exposed to a particular environment (setting) and its *opportunities* and *moral contexts*. Environments provide opportunities that, when connected with individual desires, needs or commitments give rise to a *motivation* to act criminally. Environments also provide moral contexts defined as law-relevant moral norms that may be differentially enforced through formal and informal monitoring, intervention and associated consequences (Wikström et al. 2012: 16). The moral context in which criminal opportunities occur will guide any action that an individual may take in response to a motivation (Wikström 2006: 87-88). Environments have criminogenic features if the opportunities they provide, and their moral contexts, encourage breaches of law (Wikström and Treiber 2009a: 91).

Personal morality and environmental moral contexts interact through a *moral filter* that may encourage or discourage acting criminally in response to a motivation (Wikström et al. 2012: 24). Crime is likely to be 'filtered' as a viable action-alternative if a motivated person with a criminal propensity (crime-conducive or weak law-relevant morality) is exposed to an environment that has:

- (1) Rules that encourage crime (situation of *moral correspondence*),
- (2) Rules that are not conducive to crime but do not have a sufficient deterrent effect (*situation of conditional relevance of controls*) (Wikström 2010).

SAT has generated much research interest, including empirical tests of the theory across comparative settings and with various groups of offenders and offenses (for a recent summary of studies see Pauwels et al. 2018). By far, the interaction between crime propensity and criminogenic exposure has been the most tested and empirically supported aspect of the theory (e.g. Wikström et al. 2010, 2012, though see Schepers and Reinecke 2018). These studies have confirmed that there is a pattern of mutual reinforcement in the interaction between propensity and exposure.

Other constructs have received mixed empirical support. For example, the suggested interaction between crime propensity and deterrence (conditional relevance of controls) was established in shoplifting (Hirtenlehner and Hardie 2016) and youth delinquency (Schepers & Reinecke 2018), but not supported in studies conducted on the use of drugs (Gallupe and Baron 2014), academic dishonesty (Cochran 2015) and drunk driving likelihood (Piquero et al. 2016). Even tests of the key individual propensity argument of the theory, the interaction between personal morality and self-control have been mixed, despite the fact that the suggested interaction has been also supported by research non-related to SAT (Paternoster and Simpson 1996; Schoepfer and Piquero 2006; Tittle et al. 2010). Support for the argument that the relationship between self-control and offending is dependent on the level of personal law-abiding morality has been found, for example, in studies using UK (Wikström and Svensson 2010) and cross-jurisdictional samples of adolescents (Svensson et al. 2010) who self-reported past offending. Strong support for the morality-self-control relationship was also found in the only previous study on SAT and white-collar crime, conducted through vignette research with criminology students on their offending intentions as to two individualistic white-collar crimes (minor embezzlement and credit card fraud) and one minor property crime (Craig 2018). A weaker effect of the interaction was found by

Antonaccio and Tittle (2008) in a study with household surveys on projected (future) crime in Ukraine whereas no effect was reported by Gallupe and Baron (2014) in soft drug use.

Empirical tests of theory have predominately been conducted with adolescents (Gallupe and Baron 2014; Pauwels and Svensson 2009; Wikström and Svensson 2010; Wikström et al. 2010, 2012) or university students (Cochran 2015; Craig 2018). There is a paucity of studies that have thus far tested the theory on a sample of adults: shoplifting and tax evasion (Kroneberg et al. 2010) and property and violent offending (Antonaccio and Tittle 2010) on a general population sample, and self-reported past offending among an older population sample (Hirtenlehner and Kunz 2016). There is currently only one study that has examined SAT's arguments on a sample of convicted offenders, conducted by Piquero et al. (2016) on drunk driving likelihood. They found that, contrary to SAT's assumptions, the perceived certainty of a sanction affects offending only among those individuals with high but not with low moral norms. This underscores the importance of studies with convicted offenders as these can shed better light on the propensity-exposure mechanics.

SAT's full theoretical explanation of crime causation, and in particular its interactionist constructs, have not been theoretically extended or empirically examined in the area of organizational and occupational crime. The next section outlines the linkages between SAT and white-collar crime.

### **Applying Situational Action Theory to White-Collar Crime**

At least three fundamental SAT assumptions suggest its applicability to white-collar offending: (i) SAT is a general theory of crime; (ii) morality is the crucial individual criminogenic factor, and (iii) individual and environmental factors interact in causing acts of crime.



SAT is conceived as a general theory of crime, applicable to all crimes, at all times and all places (Wikström 2010). Its generality is constructed around explaining breaches of moral rules defined in criminal law, as rule-breaking is the commonality shared by all crimes (Wikström 2010: 11; Wikström et al. 2012: 12). Wikström (2010, Wikström et al. 2012: 12-13) specifically claims that in all cases of consideration of rule-breaking - be it shoplifting or “major company fraud” - the key explanatory factors and causal processes involved are the same; it is only the input and the content of the process (the applicable moral rules) that may vary depending on what kinds of crime we want to explain. The application of SAT to white-collar crime causation will therefore expand and test the generalizability of the theory.

The second link between SAT and white-collar crime is the frequent indication of morality or personal ethics as an important factor to white-collar offending (Clinard 1983; Cohen and Simpson 1997; Craig, 2018; Paternoster and Simpson 1996; Simpson and Piquero 2002; Smith et al. 2007; Yeager 1995). Some of these studies have also supported SAT’s assumptions on the role of morality in crime causation. The vignette surveying of businessmen by Paternoster, Simpson and colleagues revealed that rational choice calculations occur only after perceiving an act of crime as a viable alternative allowed by personal moral rules (Paternoster and Simpson 1996; Simpson and Piquero 2002). Not only were moral considerations a powerful and independent source of social control, but strong moral rules made cost-benefit considerations of criminality virtually superfluous (Paternoster and Simpson 1996: 579). Elis and Simpson’s (1995) follow-up study supported a further SAT argument: high personal morality is not influenced even by a criminogenic organizational moral climate. Finally, middle managers in Clinard’s (1983: 97-98) study reported that largely depending “upon the ethics of the person, some middle management can resist pressures and others cannot”.

As these studies indicate, SAT might be a promising pathway towards further knowledge on the relevance of morality as a causal factor to white-collar crime (also Craig 2018). Applied to white-collar offending, SAT would predict that a person with a strong law-relevant morality will not see occupational/organizational crime as a viable alternative when exposed to a criminogenic setting. A person with a weak law-relevant morality will see such an alternative. A person's morality may be conducive to white collar-crime if he/she does not think acting criminally in a setting is wrong and if his/her moral emotions do not deter white-collar crime (he/she does not feel shame or guilt for acting).<sup>2</sup>

The final link between SAT and white-collar crime is the proposed integration of micro (behavioral) and macro (ecological) factors in the explanation of causality. White-collar crime scholars have long explored theoretical models operating on multiple explanatory levels (Coleman 1987; Kramer et al. 2002; Vaughan 1998). A few of these have also suggested some of SAT's causal factors and levels of analysis as valuable to the explanation of white-collar crime: motivation (stemming from the 'culture of competition' and opportunity) (Coleman 1989); the connections between macro-level (the business environment, organizational characteristics that provide opportunities, and the regulatory environment) and micro-level factors (decision-making in organizations) (Vaughan 1998), or connections between micro- (individual action, including personal morality), meso- (organizational structure and processes) and macro- (institutional environment) levels of analysis (Kramer et al. 2002). The complexity of white-collar crime causation therefore provides a fertile ground for applying SAT's integrated model. The theory may also provide a further fruitful analytical framework towards understanding white-collar crime causality.

Applied to white-collar crime, SAT would predict that to perceive white-collar crime as an alternative, "a person must not only have personal moral rules and emotions conducive" to

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<sup>2</sup> This is an adaptation of Wikström and Treiber's arguments regarding violent crimes (2009a: 83).

white-collar crime, “he/she must also take part in settings which lead him/her not only to see” white-collar crime “as possible, but also propitious” (Wikström and Treiber 2009a: 84). Yet Wikström has not expanded upon what would the environment (setting) and its moral context correspond to in white-collar offending; and, their conceptualization cannot be universal across offending categories. Thus far, SAT - and other ecological theories of criminality - have focused solely on analyzing the influence of urban or rural environments in crime causation, although it is recognized that individuals spend time in environments other than their homes and neighborhoods (Wikström 2010). Little attention has been given to the possible causal links between work environments and crime.

For the theory to be extended to white-collar criminality, it is hence necessary to analyze the criminogenic features of work environments as the workplace is the natural and ecological setting of most white-collar crime. In fact, white-collar criminality is mostly defined through occupational settings, roles or opportunities (Green 1990; Weisburd and Waring 2001). Subsequently, SAT’s moral context concept would correspond to the normative aspects of an *organizational culture* because organizational cultures encompass “patterns of belief or shared meaning supported by various operating norms and rituals” that perform an interpretative function for the employees (Morgan 2006: 122-139).

To examine SAT’s suggested interaction of criminogenic moral contexts and individual morality in the production of criminal motivation I chose to interview white-collar offenders in prison.

## **The Present Study**

Until now, SAT has only been examined through quantitative studies. I however chose to conduct qualitative semi-structured interviews as thus far no data has been collected on

occupational white-collar offenders and SAT. To examine the individual-workplace interaction in crime causation, a corresponding definition of white-collar crime was deployed: an offense committed through the use of fraud or deception in the context of the offender's legitimate occupation in an organization (Green 1990).

I decided to search for potential interviewees amongst the population of male white-collar offenders currently serving a prison sentence. Due to the predicaments of gaining access, the sampling process had to be conceptualized as a two-stage non-probability (purposive) sampling (Dhami 2007). It consisted of selecting a prison and selecting interviewees within that prison. Interviews were ultimately conducted with a sample of male white-collar offenders in a British open (D) category prison. Out of the ten offenders that volunteered to be interviewed, seven were selected as their offense had taken place within an organizational setting (at their workplace). On average, the interviews lasted for about one hour, yielding rich information about the offender and the offense. I used an interview schedule organized around the key issues of the study: the circumstances of the offense and the organization in which it took place, and the circumstances of the offender.

These are the offenders' demographic data:

1. *Age*. The interviewees' age was quite diverse: one was in his twenties; three aged from 30 to 50; and three from 50 to 65.
2. *Ethnicity*. Six interviewees were white and one was black British.
3. *Education*. One had a university degree, four had finished secondary education and two were without any education at all.
4. *Family status*. All of the offenders had some form of stable family ties: four were married, two had long-term partners, and five had children.
5. *Employment*. All of the offenders were employed at the time the charges were brought against them: five as the head of the company, and two in senior professional positions.

Four interviewees worked in an organization with fewer than 10 employees; two in an organization with fewer than 50, and one in a large organization with over 250 employees. This reflects the typical employee distribution in the UK, as 98.0 per cent of enterprises have fewer than 50 employees (ONS 2017). Most of the offenders were dedicated workers, enjoyed their work and were upwardly mobile on the corporate ladder. For example:

Karl:<sup>3</sup> “I was kind of the golden child at the office, young protégé coming through...I would’ve been an associate director by the age of 24.”

6. *Offending history*: five of the participants had a previous criminal conviction, all of them for other white-collar offenses. Out of those, three had previously been convicted to imprisonment, for a period of 5 months on average.

Five participants (Jake, Junior, Karl, Liam and Mark) were convicted for fraud by false representation (Section 2 Fraud Act 2006), representing 2.2% of the UK male offenders imprisoned for this offense (n=226). One participant (Gordon) was convicted for contravening a director’s disqualification order (Section 13 Directors Disqualification Act 1986), representing 4.1% of those imprisoned for bankruptcy-related offenses (n=24). The final participant (Peter) was convicted for fraudulent trading (Section 458 Companies Act 1985, Section 993 Companies Act 2006), representing 4.3% of those imprisoned for an offense by a company director (n=23).<sup>4</sup>

To frame the offenses into a more descriptive terminology, and also along the lines of white-collar crime typologies (e.g. Green, 1990), the participants were convicted of: a ‘boiler room’ fraud (Gordon); consulting on tax return fraud (Jake); mortgage fraud (Junior); double-billing

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<sup>3</sup> The participants have been anonymized and aliases are used throughout the text.

<sup>4</sup> The data was calculated using the UK Ministry of Justice “Criminal Justice Statistics: Outcomes by Offence Tool”, available at <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2016> (accessed 31.01.2018).

of clients (Karl); deception in providing building services (Liam); embezzlement (Mark); acting as a director of companies under personal administrative blockage (Peter). It is not possible to gather data on the representation of these specific offenses amongst male UK prisoners since there are no centrally or locally kept databases with such information. However, the varied distribution of offenses renders the sample more interesting theoretically as both crimes for the benefit of the employing organization and crimes against it are represented.

### **Social Ecology of White-Collar Crime**

The main findings of the study are organized around SAT's key concepts: motivation; individual propensity; environmental factors and situational mechanisms.

#### *What moves people to white-collar crime?*

The initial analytical steps of understanding crime causation must be focused on the *motivational forces* behind offending as motivation drives human action (Wikström 2010). Without motivation for acting, the personal and environmental features surrounding the crime would have had no bearing on the individual (Bouhana and Wikström 2010).

The offenders in the study reported various motivations for their crime, supporting SAT's prediction that there is no particular motivation to criminal action (Wikström 2010):

1. *Need*. Braithwaite (1992: 84) describes needs as “socially constructed wants that can be satisfied”. Two of the offenders (Liam and Peter) described their offenses to be motivated by financial problems that they could not satisfy through legitimate means.
2. *Greed*. As a motivation, greed is “a want that can never be satisfied” (Braithwaite, 1992: 84). Its occurrence as a motive for white-collar offending has been suggested by

several studies (Wheeler 1992; Willott et al. 2001). In the present study, two offenders (Jake and Karl) reported that, although their legitimate occupation/business provided them with sufficient funds, the criminal act gave them more. For example, Jake stated that he had other legitimate businesses, but “when this took over, I packed everything up”.

3. *Fear of falling*. Various authors (Cressey 1953; Weisburd and Waring 2001; Piquero and Benson 2004) have found that a prominent motive for white-collar offending may be *fear of falling* (Wheeler 1992). This was the case of Mark, convicted of embezzlement. His offending was a response to a personal crisis that created a fear of losing his middle-class status and the house in the suburbs.
4. *Revenge*. Apart from *fear of falling*, Mark’s embezzlement was also motivated by revenge towards his company since the manager did not grant him an extension to a standing loan.
5. *Thrill*. The argument that white-collar offenses are not simply monetarily driven, but can also provide “sneaky thrills” (Katz 1988) was supported in the case of Karl: “I just saw what was possible, and thought that’d be exciting, I wonder if it will work”.
6. *Keeping the business in the face of competition (economical survival)*. Junior and Gordon reported that their involvement in criminal activities emerged from the fact that such practices were widely spread in their industries. If they had not become involved, they would have lost their competitiveness on the market.

The findings show that SAT’s arguments on copious criminal motivations can be more successfully deployed in understanding white-collar crime than the claims of a linear motivation such as general self-control (Hirschi and Gottfredson 1987) or, the white-collar

crime specific, culture of competition (Coleman 1989). Yet by focusing solely on the offenders' motivations we cannot discern why they engaged in crime since the reasons they provided could have also led towards lawful actions. According to SAT (Wikström 2006), individuals with same reasons engage into different actions because the motivation to act criminally is 'filtered' as an acceptable choice through individual criminogenic propensity and supportive environmental factors (criminogenic exposure). The following sections analyze the relevance of these factors to acting upon white-collar criminal motivation.

#### *Framing the accounts: individual propensity to crime*

To understand an individual's crime propensity one must seek to understand his/her personal law-relevant moral rules regarding the criminal act (Wikström 2010). The findings from the current study bring into question SAT's assumption of morality as the crucial individual-level criminogenic factor – as it is presently conceptualized – when accounting for white-collar crime. The offenders' accounts revealed the importance of acknowledging also the usage of techniques of neutralization, next to perceptions of acts as right/wrong and feelings of guilt and shame. This is elaborated below.

The offenders' reasoning regarding the immorality of their actions was initially obtained through questions about how they perceived the wrongfulness of their acts ("Did you think that what you were doing was wrong at the time?") and about what they experienced in terms of moral emotions. This has been a common method of measuring morality in previous SAT studies (Wikström and Svensson 2010).

The offenders' accounts revealed mixed impressions about both the normative and the emotional aspects of personal morality regarding the crime: four of the offenders did not perceive their actions as wrong and three did. A further offender (Karl), who perceived his



actions as ‘morally wrong’, felt neither guilt nor shame whilst acting. These findings do not fully support SAT’s arguments on the relationship between personal moral rules and moral emotions in creating “weak law-relevant morality”, nor its arguments on morality as the central individual-level criminogenic factor.

The application of Cressey’s (1953) phenomenological approach, however, enabled a fuller reconstruction of the criminal event, the processes of thought and the feelings surrounding the crimes. The richness of this information made it apparent that the initial question about the wrongfulness of the act was insufficient and led to a narrow understanding of the offenders’ internal perceptions of their crimes. All of the offenders, in fact, resorted to specific “vocabulary of motives” (Mills 1940) or techniques of neutralization (Sykes and Matza 1957), whilst arguing about the wrongfulness of their actions and how they felt about them.

Techniques of neutralization are essentially “justifications for deviance that are seen as valid by the delinquent but not by the legal system or society at large” (Sykes and Matza 1957: 666). If developed prior to the criminal act, they enable its commission as the “ability to neutralize obedience to law facilitates criminal decision-making” (Shover and Hochstetler 2006: 70). Neutralizations are therefore relevant to the explanation of the causes of crime since they create the moral environment conducive to offending.

The offenders gave justifications along the original categorization suggested by Sykes and Matza (1957): *denial of responsibility*, *denial of injury*, *denial of the victim* and *condemnation of the condemners*, as well as along the justifications specific to white-collar offenders: *defense of necessity* and *claim of normality* (Benson 1985). Certain offenders used more than one self-justification.

I. *Denial of responsibility* was used by three offenders. This technique can be employed in several ways. Firstly, the criminal act can be completely negated, which obviates subsequent

criminal responsibility. This was the situational circumstance of Jake, convicted of consulting on tax return fraud:

Jake: “There was no offense, they prosecuted me under common law, they invented a specific charge, so they said that I’ve cheated...It has to do with the Income of Corporations Tax Act. I researched it, and I found that there was this loophole”

Shift of blame is another method associated with denial of responsibility. This was recognized in the accounts of Gordon and Liam (even though he perceived his acts as wrong and felt guilty about them).

Gordon: “He’d acted as a director when he was barred, and then I was sucked into it, because I was considered to have assisted him by setting up these companies”

Liam: “During six months we were doing all straight work. Then he just went off the rails...He leeches up with me, and got me into trouble”

II. *Denial of injury (harm)* allows white-collar offenders to convince themselves that no one will suffer as a consequence of their crime. No one is ‘really’ harmed and “they have therefore done nothing wrong” (Maruna and Copes 2005: 233). Denial of harm was present in the accounts of six offenders, including Mark who believed his actions were wrong and felt guilt about them. All of the offenders, except Mark, considered their acts to be helpful even to a third party: to clients for consultancy services (Jake and Junior), to employees (Peter), to banks and their compliance officers (Junior and Karl), even to the national economy (Gordon). These are the most illustrative responses:

Junior: “There was no harm! There was no loss to anyone, people are still paying the mortgage, the banks are getting the interest, and the customers are owning the homes, what is the loss? Who is a victim here?”

Peter: “There was no victims, I didn’t hurt anybody, you know, there was nobody”

Karl: “I was thinking nothing about whether it will harm them, it was double-insured anyway... so ultimately the loss was negligible”

Denial of harm is used often as a justification for white-collar offenses, especially if the victim is a big corporation (the cases of Mark, Karl and Junior) or a governmental agency (the cases of Jake, Gordon and Peter). The presence of tangible victims – individuals who were overcharged – may explain the account of the only offender (Liam) who perceived his crimes as harmful (Liam: “You’re taking people’s money”).

III. Blaming the victim for the crime (*denial of the victim*) was used only by Mark, convicted of embezzlement. Mark justified his crime as committed out of defiance towards his employer for being treated unfairly:

Mark: “You’ve done all that time basically as a servant of a corporation and there is no reward. They just cut your salary by a large amount. It’s just made me angry, it made me bitter. It was almost like I stuck my fingers behind their back, like, look what I’m doing to you!”

Mark was amongst the offenders who claimed that he perceived his acts as wrong and experienced guilt and shame whilst committing them:

Mark: “Oh yeah, it is wrong isn’t it? I mean how you learn from a kid right from wrong? I mean, you’re brought up Catholic, had good education, you clearly know what’s right from wrong, stealing money from the banks, not right, is it?”<sup>5</sup>

SAT’s theoretical premises would not be able to account for Mark’s offending and criminal propensity. Their application would suggest that Mark should not have perceived and chosen embezzlement as a viable action-alternative as his personal moral rules and associated emotions were not conducive to offending (Wikström 2006). His account therefore suggests that the theory’s criminal propensity construct should be reconceptualized in the area of white-collar offending in light of the offenders’ recourse to techniques of neutralization.

IV. *Condemning the condemners* is a neutralization technique used by the delinquent to shift the focus to “the motives and behavior of those who disapprove of his violations” (Sykes and Matza 1957: 668). Its use in accounting for white-collar offenses is more complex than for ‘street crime’. The perceived condemner is not just the criminal justice system, but legal regulation itself. Legal interference can be observed by businessmen as an artificiality of what should be free market relations. Perceptions of the unjust character of the law were provided by three of the offenders (Junior, Gordon and Peter):

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<sup>5</sup> The usage of the term ‘stealing money’ makes Mark a “deviant case” from the embezzlers in Cressey’s (1953) seminal study on trust violators. They used the common rationalization of “borrowing the money” with all intention to return it. Yet Mark’s circumstances match some of the cases in this study (Cressey 1953: 59, 65), who committed their acts out of defiance after unfair treatment by their employers. They also used ‘denial of the victim’ as a self-justification.

Peter: “The only thing leading the malice was the Department of Trade and Industry, they prosecuted me, which I thought was a bit pathetic really for somebody acting as a director of a company... I think it’s ridiculous really to have a law on that... It doesn’t seem right to me”

Gordon: “No disrespect but I think the legal system is as bent as the banking and the government if you want to be honest”

V. *Defense of necessity* and *claim of normality* are methods often used in combination specifically by white-collar offenders. Through *defenses of necessity*, offenders comprehend their acts as necessary to survive in the fierce conditions of business practices (see also Willott et al. 2001):

Gordon: “I don’t think you understand business, it’s not that we want to, it’s the competitions that you’re faced [with]...We get a contract from a large company, and they just expunge us as a small company. Is that a fraud or is that just commerce?”

*Claim of normality* refers to the argument that “everybody else is doing it” (Benson 1985). Thus criminal acts represent normal business behavior. Liam, Peter, Gordon and Junior used this kind of justification.

Junior: “If they have to do that and put everybody that has increased their income on an application in prison, this prison would not be able to take everybody”

Interviewer: “Do you think the law is fair in this area?”

Junior: “No, it’s not, it’s not because there are people that have done exactly what I’ve done and they are still living in their homes, so it should be fair across all the board”

The presence of techniques of neutralization in the participants’ narratives is consistent with other qualitative studies revealing that white-collar offenders frequently use such justifications to account for their deviance (Benson 1985; Cressey 1953; Dhami 2007; Jesilow et al. 1993; Klenowski 2012; Willott et al 2001). As the use of neutralizations is unveiled through the “lived-experience” of interviewed real-life offenders – previously not conducted in SAT’s tradition on any offending category - it is clear that they must not be theoretically underestimated when accounting for individual propensity to white-collar crime. In fact, rather than SAT’s “weak law-relevant morality” consisted of criminogenic moral rules and absent moral emotions, neutralizations appear to have a stronger explanatory power for the offending of the interviewees who both thought that their behavior was wrong and felt guilty about it. As argued above, SAT would not be able to predict the offending of the embezzler Mark nor of the fraudster Liam.

Neutralizations, however, are specifically postulated on the notion that offenders and non-offenders cannot be differentiated on the basis of conventional moral dispositions or the commitment to conformity with the legal order (law-abiding). Sykes and Matza (1957: 664-665) argue that delinquents also distinguish between right and wrong and “experience a sense of guilt or shame” for their criminal activities. Techniques of neutralization are therefore utilized to temporarily suspend the hold of moral convictions and to neutralize the guilt that would otherwise mitigate against offending. This is a very different view of morality than the slightly crude ‘weak vs strong law-relevant morality’ position proposed by SAT. As Bandura et al. (364, cited in Maruna and Copes 2005: 10) point out, one can maintain a sense of

morality and violate it too by “reconstructing the conduct, obscuring personal causal agency, misrepresenting or disregarding the injurious consequences of one’s actions, and vilifying the recipients of maltreatment by blaming and devaluing them”. SAT should therefore consider incorporating neutralization techniques when accounting for individual and situational factors relevant to white-collar crime causation as this will provide a more comprehensive view into the interplay between personal moral rules, moral emotions and criminal participation. Such view can more adequately explain the normative constitution of offenders who perceive white-collar criminal activities as wrong and feel (a lot of) shame/guilt but are able to ignore or neutralize that somehow.

An additional reason for including neutralizations in SAT’s analysis of white-collar crime causation is their more prevalent use amongst business offenders due to their personal traits and the traits of their crimes. Most white-collar offenders, as the participants’ demographic data also reveals, have social and cultural capital and a general stake in conformity, enabling a more successful framing of their actions as acceptable (Copes et al. 2013; Shover and Hochstetler 2006: 70-72, though see Klenowski 2012). As Box (1983: 54) argues, “it is possible for white-collar offenders to paint their illegal behavior in saintly colours because their environment provides them with an inventory of verbal techniques for avoiding and undercutting the moral bind of the law”. SAT should therefore recognize that the conceptualization of morality also depends on the social, educational and class position of different types of offenders, and the ability to justify one’s behavior.

The particularities of white-collar offenses are also important for the successful deployment of neutralizations. Many white-collar offenses represent breaches of complex and ambiguous regulatory law, only protected with criminal sanction. As Green (2006) has pointed out, many harmful acts become criminal only if they are also wrongful as the harms caused by price-fixing, insider trading or fraud may be indistinguishable from the consequences of a botched

(though lawful) business strategy. The possibility of different interpretations of business regulation and the often vague *mens rea* requirements of these offenses provide an opportunity for offenders to convince themselves that their acts are not blameworthy through *denial of (criminal) responsibility*. In fact, in the cases of *denial of responsibility*, *denial of the victim*, *condemning of the condemners*, *defense of necessity* and *claim of normality*, the self-justifications even gave the offender a sense of moral righteousness for the criminal acts. Further, *denial of harm* and wrongdoing were used by six out of seven interviewees as business transgressions frequently do not display ‘obvious’ harms. If no harm is considered to take place, crimes are more visible as action alternatives (Bouhana and Wikström 2010) as “guilt is usually aroused when one believes that one has wronged someone” (Joyce 2007: 99). Finally, the offenders’ accounts showed that through *condemning the condemners*, legal regulation can be experienced as unfair, forcible or unnecessary. As Benson and Simpson (2009: 145) argue, “if the law itself is not legitimate or necessary...then our moral obligation to obey the law is seriously undermined”.

Breaches of regulatory requirements in the business sphere cannot be easily subjected under Wikström’s (2010: 11) definition of crimes as “actions that breach the moral rules defined in criminal law”. For whilst a white-collar criminal act will more often be perceived as morally wrong in SAT’s definition if it involves infringement of core human values (amongst which is personal property) and tangible victims (clients or employers), moral scorn will often be lacking in criminal violations connected to breaches of regulatory norms that involve “faceless” victims (e.g. governmental agencies). The findings from the present study also support this as the four offenders who thought that their actions were not wrong were convicted of *mala prohibita* or crimes connected to breaches of tax, mortgage and company law. The other three offenders were convicted of what can be considered as *mala in se* crimes



that involved a specific type of ‘theft-after-trust’ (Green 1990) criminal behavior: embezzlement and over-pricing of clients.

Moral contents in white-collar crime are therefore much more equivocal than in ‘conventional’ crime (see Green [2006]), allowing for mixed perceptions on the wrongfulness of criminal actions and easier access to neutralizations. Therefore, though SAT has stressed at several places (Bouhana and Wikström 2010; Wikström and Treiber 2009a) that it does not use morality in terms of “whether particular actions are justified in relation to some superior moral principle” and that it is not designed to explain the reasons why certain actions are regarded by large sections of a population as (im)moral, these might be the critical issues in explaining criminal propensity in white-collar crime. Such approach may help explain everyday insurance fraud and various tax evasion (Karstedt and Farrall 2006) such as, for example, paying tradespersons cash in hand. These are examples of people committed to conventional morality, doing things which are also widely perceived not to be wrong (hence the possible recourse to *defenses of normality*) but which are - if discovered and proved - criminal.

It must be pointed out, however, that techniques of neutralization have an ambiguous nature as it is often not clear in much of the research whether they are conceived of as precursors to action or as ex-post facto explanations. On the one hand, techniques of neutralization can be viewed as “indicators of the offender’s cognitive” and normative structure (Benson 1985: 588). Only in this sense are they relevant to the explanation of the causes of crime since they create the moral environment conducive to offending (Sykes and Matza 1957: 666). On the other hand, neutralizations can also serve as impression management techniques (Levi, 1994) by the offender to paint his/her crimes in a socially acceptable discourse and avoid being labeled as a criminal, even by the interviewer.

The current study cannot make a decisive claim about which of these two methods was used by the offenders. Thus, it suffers from the same analytical temporal sequence problem as almost all empirical research concerning neutralization techniques, and especially qualitative studies (Maruna and Copes 2005: 260-261). However, I would concur with Cressey (1953: 94), Jesilow et al. (1993: 154) and Benson and Simpson (2009: 140) that “they nevertheless reveal something about how actors view their situations before committing their offenses”.

### ***Contextualizing the accounts: work environment***

If we apply SAT’s premises to white-collar crime, exposure to criminogenic features of the work environment (*opportunities* and *moral context*) would play an equally important role in crime causation. The accounts revealed that attractive opportunities vested in relationships of trust and, in certain cases, criminogenic normative patterns strengthened the decision to offend.

### ***Opportunities: legitimated trust***

Criminal opportunities vary according to the particularities of the environment (Wikström 2006), and the particularities of the crime. SAT can utilize the findings from the current study to discern the particularities of the workplace environment and white-collar crime that impact offending opportunities: reliance on lawful occupations and relationships of trust.

All of the offenders committed their crimes through an opportunity provided by a legitimate occupation they held. This gave them *lawful access* to criminal activities whilst maintaining a *superficial appearance of legitimacy* (Benson and Simpson 2009: 80). For example, Jake and Junior acted as directors of legitimate consultancy companies through which they were able,

undetected, to advise their clients on tax evasion and mortgage fraud, respectively, for a number of years.

Legitimate occupations and the workplace dynamics also generate social *relations* that enable “robbing without violence and burgling without trespass” (Shapiro 1990). The criminal opportunities depended on establishing relationships of trust between the offender as an agent and a certain fiduciary. Certain organizational offenders (Jake, Junior, Peter and Gordon) relied on deceiving governmental agencies or banks through false or misleading statements. For example, this was the *modus operandi* of Junior:

Junior: “There was a product where people don’t have to prove their income...it’s that income that I put on the application form, so what I’ve been convicted of now is falsifying that income...I was just increasing the income on the application form to say ‘this is what he needs to get on the property ladder’”

Interviewer: “Were you the only person aware of this?”

Junior: “Yes, they don’t have to provide any form...what I write down and the banks will not check, they will not try to verify”

The opportunities to offend in the three ‘theft-after-trust’ crimes depended on the relationships of trust with principals, clients in the cases of Karl and Liam and the employer-bank in the case of Mark. For example, these are the circumstances of Karl who was convicted of double-billing his clients through a check fraud:

Karl: “I played golf with [my clients], went to Ascot with them, took them to watch football matches... It was a huge breach of trust. I relied on the amount of trust I had in the first instance to make them to believe me that ‘Yes, it’s

legitimate and the check has been shredded'. 'He's never done anything wrong before, why would he now?'"

Finally, apart from the principals' trust, the study revealed that opportunities for white-collar offenses also depend on trust by co-workers. The trust established in collegial relationships may be an equally crucial component to the criminal opportunity and its opacity. It can also significantly lower the levels of supervision and its deterrent effects, and in the presence of encouraging moral rules strengthen the decision to (continue to) offend. This revelation arose in of the narratives by Mark and Karl. The periods of close working and the established friendships facilitated their crimes and prevented closer scrutiny of their acts. In Mark's case, colleagues were co-signing his documents without reading them:

Mark: "When you input something on a computer system, a certain per cent will come up for what they call an audit check. So, it's checking that person's work, just to see they're not doing anything they shouldn't be doing. And such was the trust and bond and the closeness there, that people would pretty much sign it and say 'It's ok'"

Karl's persistent offending was facilitated by the trust he had with the CEO of his company:

Karl: "I spent Christmas Day and Boxing Day with my CEO and his family...so I think I had a lot of the trust in the company and the CEO, and if someone would have reported: 'Oh, there's something not quite right about what he's doing', Barry would have just gone: 'No, forget about it, he would've never done it'"

In sum, contrary to the ecology of violent and property crimes where trust among neighbors can lower crime rates (Wikström et al. 2010), the ecology of white-collar crime stems from

trust by principals and co-workers in the first place. The extension of SAT to white-collar offending must therefore take into account the different meaning of ‘trust’ - as a social or relational criminogenic factor - in the context of white-collar crime opportunities. This fact has crucial policy implications since Shapiro (1990: 30) rightfully argues that the abuse of positions of trust “frustrates the social control process”.

*Moral context: organizations and occupations?*

The present study attempted to grasp the moral context to which the participants were exposed and which influenced their decision-making. As argued previously, the primary moral context was considered to be the organizational or workplace culture. The accounts of the offenders revealed insight into the normative patterns at their workplaces. Yet it must be stressed that it is methodologically invalid to capture cultural contexts through the words of a single participant, especially when culture is grasped through accounts of convicted offenders. The environment might be reconstructed in a discourse that attributes blame to factors unrelated to the criminal activities. This is a form of “deviance disavowal” (Cohen and Simpson 1997: 47), and it also refers to the question of the true nature of neutralization techniques: inner normative structure or “impression management”?

From the present information, however, the offenders can be roughly divided into two groups based on the normative patterns in their organizations. The offenders who committed crimes against their organizations (Karl and Mark) were exposed to organizational cultures that promoted rule-abiding (non-criminogenic moral contexts). The offenders who committed crimes to further the goals of their organization as well as their own interests (Jake, Junior, Gordon, Peter and Liam) revealed that they were exposed to criminogenic moral contexts at their workplace.

Some accounts (Junior, Gordon, Peter and Liam) highlighted the importance of observing white-collar crime in a moral context (culture) wider than the *organization* as a unit. The experiences of the offenders revealed that both their personal moral rules and the normative beliefs in their organizations were influenced by normative guidance within their specific occupations. Junior stated that the type of “fraud-for-property” for which he was convicted was an accepted practice amongst mortgage brokers in general. Similarly, Peter and Gordon revealed that practices of fraudulently acting as a director of a company occur often in the entrepreneurial sector. Liam said the same about overpricing by building contractors and other businesses.

Junior: “You’ll see they have done the same thing, almost in whole of the United Kingdom. I go to brokers’ meetings, sub-meetings, it happens often. It’s like, maybe you drive 50 miles per hour when it is a 40 miles per hour zone, that kind of a thing”

This is consistent with notions that “professional groups may have an impact on the culture” of organizations (Morgan 2006: 132), and with other research pointing to the importance of occupational cultures to the commission of white-collar crime (Quinney 1957). From a normative point of view, occupations are characterized by “patterned expectations internalized by the incumbents and reflected in their occupational behavior” (Quinney 1957: 180). If these expectations are contrary to legal ones, the wider occupational culture would represent a criminogenic moral context.

### ***Connecting the dots: situational mechanisms***

This section examines the three situational mechanisms through which criminogenic exposure interacts with criminal propensity: moral correspondence, conditional relevance of controls and moral habituation.

### *Moral correspondence*

The first scenario of person-environment interaction is the principle of *moral correspondence*: there is congruence between the individual's moral rules and the moral context of the environment to which the individual is exposed (Bouhana and Wikström 2010). Here, workplace environments provide opportunities to act criminally *and* rules that encourage acting upon those opportunities.

*Moral correspondence* can explain the cases of the offenders who committed their crimes to further the profits of their organizations (Jake, Peter, Junior, Gordon and Liam). These offenders operated in environments in which breaches of law were not considered morally wrong (criminogenic moral contexts) and were continuously reinforced. In turn, such contexts could have rendered perceiving criminal actions as advantageous.

The findings revealed support for two further interactional concepts that extend SAT's explanatory potential in white-collar crime: developmental individual propensity to crime; and the 'selection bias' concept (Wikström 2005). The information provided by the offenders showed that exposure to criminogenic moral contexts in organizations and occupations not only makes criminal activities more desirable but it *instigates* perception of them as viable in the first instance. Some accounts (Junior, Peter and Gordon) supported the arguments on the process of learning behavioral norms, including criminal ones, from business circles (Sutherland 1961). Junior, for example, spoke about the diffusion of values favorable to mortgage fraud amongst brokers:

Junior: “You know we go to seminars, mortgage brokers, and we talk about these things, and nobody said: ‘You’re doing that?! You could go to jail!’”

Gordon, convicted of ‘boiler room’ fraud, reflected more generally on the diffusion of behavioral norms amongst entrepreneurs favorable to offending based on the “alleged requirements of business life” (Nelken 2012):

Interviewer: “Was everything legitimate in the establishment of these companies?”

Gordon: “As best as it could be, you know. I think it’s easy to be critical...these days you have to be creative as an entrepreneur, you have to find new ways, you can’t have failures...You got to have the rule of law, there’s no argument, but you also need to have justice, and you know, I’m an entrepreneur, I do what entrepreneurs do”

These offenders did not consider their behavior as wrong, and their statements are in line with the rationales they provided. Normalization of offending at a workplace is evidence of its criminogenic moral context and it can serve to push an individual into crime.<sup>6</sup> However, normalized offending is not identical to, nor is in itself evidence of, the *claim of normality* as a technique of neutralization, discussed in the previous section. *Claim of normality* (‘everybody else is doing it’) is a cognitive and verbal technique identified specifically by researchers of white-collar crime (Benson 1985) and it may be based on the offender’s beliefs in widespread illegality rather than on actual workplace practices. Yet, according to Matza’s (1964) original concept of ‘drift’, specific neutralizations may also tell us something about the

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<sup>6</sup> I am grateful to an anonymous reviewer for suggesting the ‘push’ and ‘pull’ into crime distinction.



offenders' (workplace) culture (e.g. that inflating self-certified mortgages is permissible). Only in this way the normalization of criminal practices can appear simultaneously as both a push (immoral context) and a pull (neutralization) to white-collar crime.

Thus it can be argued that a significant contingent of rules of behavior is learned through processes of socialization or *moral education* (Wikström 2006) when an individual enters a certain occupation or organization. Occupations and organizations become instrumental to white-collar offending as "they provide a different socialization" (Pauwels and Svensson 2009) later in life. Organizational structures might contribute to the process of socialization into criminogenic moral contexts also through their internal hierarchical nature. Some of the accounts (Junior, Jake and Karl) supported the notion that the company director's "personal visions, goals, beliefs, values, and assumptions about how things should be" (Schein 2004: 16) are important for workplace practices. This is consistent with other research showing that managerial work is essential to moral dimensions in companies (Clinard 1983; Yeager 1995). The following accounts show that white-collar offenders with high positions in the company hierarchy should not be viewed uncritically from their role in sustaining moral contexts favorable to criminal behavior.

On the mortgage frauds:

Junior: "To be quite honest with you, it was what I would allow in my business that would happen anyway, so it was something that I felt it was OK, and then they were doing it, two or three of them were doing the same"

Karl's narrative, though providing a contrary example, also supports this notion:

Karl: "Morals were fine, this was a completely legitimate company, everything was run by the book, there was no overbilling, it was very much official. The

CEO was a family man, he did everything down straight and narrow, he wouldn't have it any other way"

This implies that the theoretical emphasis on biological and early family background factors (Hirschi and Gottfredson 1987) would have difficulty accounting for patterns in white-collar offending. On the contrary, as SAT also suggests, we must observe individual propensity to crime in a developmental fashion. Throughout the life-course an individual comes across and is exposed to various settings and rules (Wikström 2005). White-collar offending might be triggered when an individual comes across and becomes exposed to a criminogenic organizational moral context, introducing new moral rules or gradually eroding the ones learned earlier in life.

The onset may be situationally dependent on the organization also in the sense that the individual might experience a personal or occupational need that, combined with a legitimate occupation opportunity, motivates the commission of a white-collar crime (Piquero and Benson 2004: 158). Therefore, the later introduction of the 'organizational moral context' in the lives of individuals might help elucidate the existing riddle in developmental theories about the late onset to white-collar offending (Benson and Kerley 2004).

The study also revealed support for the 'selection bias' argument of the theory since certain white-collar offenders might be attracted to environments where offending is easier or permitted. The information provided in the interview with Junior cautioned me not to fall into the environmental determinism of sub-cultural theories of white-collar crime (Faberman, 1975; Passas 1990) by attributing the whole blame for offending to company managers and the supposed pressuring of employees into crime. The relations between him and his employees were much more complex. It appeared that the employees were already

experiencing inner rules consistent with the normative practices at the workplace. Junior claimed that:

Junior: “They knew from before how to do that...if one of them has knocked on my office door and said ‘Mr Junior, do you know this self-service thing you do could get us in prison?’ ‘Nobody said that”

Interviewer: “What if one of your employees came to you and said: ‘I don’t want to do this, I don’t think it’s right’?”

Junior: “I already knew who these people were by the time I was employing them, so they are the sort of people who I would wanna take what they’ve told me on a big value...So, for these people to come and tell me, I would think: ‘Hmm, maybe he knows more than what he’s telling me, so I would check”

This possibility of ‘selection effects’ draws attention to the fact that individuals develop and take action in different moral contexts and have different life histories (Wikström 2005). Individuals evaluate their environments based on their experience, knowledge and morality (Wikström 2006). Through ‘assortative mating’, “different industries with different ethical cultures may be differentially attractive to different employees” (Apel and Paternoster 2009: 22). In this sense, companies with lax moral cultures might attract those who already have less demanding personal moral systems and/or an adequate experience and knowledge of how to act upon criminal opportunities.

SAT’s interactive concepts can therefore be utilized to address the spurious ascription of white-collar criminality solely to cultural organizational features and to the forcible process of acculturation to crime (see e.g. Faberman 1975; Leonard and Weber 1970). This is especially important as - notwithstanding that “the importance of culture in shaping an

organizational actor's behavior is widely accepted among criminologists" (Hochstetler and Copes 2001: 214) - the white-collar crime–culture link is still vague.

### *Conditional relevance of controls*

The second situational mechanism that can explain the interaction between the offender and the workplace environment in the causation of white-collar crime is the *principle of conditional relevance of controls*: where personal rules encourage but the context discourages criminality, acts of crime are (un)likely to occur depending on external controls or the deterrence of the environment (Wikström 2007). The degree of deterrent factors and how a person perceives them determine whether he/she will be externally dissuaded from criminal acts (Wikström and Treiber 2009a: 80).

*Conditional relevance of controls* was the situational mechanism in the cases of Karl and Mark, the participants who committed their crimes against their organizations with non-criminogenic moral contexts. The accounts of all offenders will, however, be presented to highlight the varieties of the moral context's influence on the perceptions of the key deterrence aspects of environments (Wikström 2007): the level of (formal and informal) monitoring; risk of intervention (certainty of punishment), and harshness (severity of punishment). This analysis will also provide a better understanding of the role of deterrence in offending decision-making since it involves real-life offenders.

With respect to monitoring, the accounts of Mark, Karl and Liam showed that offenders take into account risks of detection in their decision-making process. For example, Mark chose to steal small amounts of money from dormant bank accounts; Karl was double-billing large companies with complex accounting systems, and Liam chose victims that were not versed into building services. Their cases supported the notion that low detection in white-collar

crime is connected to the “inability of victims to recognize their victimization” (Pauwels and Svensson 2009: 174):

Liam: “I suppose it was easy [to overprice them]...the clients didn’t understand, so would say yes, it was easy to get around different people”

As shown earlier, the offenders’ accounts also revealed low informal control by their organization (its employees) stemming from the established relationships of trust. This lowered their perception of the risks of being detected (Wikström 2007), and aided the choice to act upon the criminal motivation.

Karl: “There should have been supervision, but it wasn’t. The opportunity could’ve been met from day one...I don’t know really why I thought of it, I just figured that this client’s quite relaxed, and they’re so big, they’ll probably miss it...at least the first time, and I just thought I’ll give it a go, I’ll see what happens”

Mark: “Not so much supervision, but the barriers to make you do that. I mean it should have been spotted in the first week, but it wasn’t, and, because people are lax at their job, lack at doing the job properly, it’s pretty much it really”

Interviewer: “Did this strengthen your decision to continue?”

Mark: “That’s right. It was a matter of what felt like a necessity at first... but in the end it wasn’t a case of need, it was a case of ‘It’s there’”

The study revealed mixed results with respect to the influence of the perceived certainty and severity of punishment in the decision-making process. The accounts of Mark, Karl, Peter and Liam disputed Chambliss' (1967) argument that white-collar offenders are amongst the most deterrable criminals.

Interviewer: "Were you aware that you'd go to prison?"

Mark: "Oh yeah, when it was 500 pounds then no, but when it went to thousands, yeah... and then you think of your family and your friends and your colleagues, but I still did it"

The other three offenders (Junior, Gordon and Jake) perceived imprisonment to have great deterrent effects. They simply did not perceive the *risk* of imprisonment as credible (Wikström 2007: 355). Thus such fear did not play a role in their decision-making.

Jake: "Don't get me wrong, I'm not holier than holly, but I wouldn't have done it if I knew I was going to face a three and a half years...They wanted me to go to prison forever"

Junior: "If I knew that what I was doing then could put me in prison, I would've never worked as a mortgage broker...Looking back in hindsight, it's not what I would do, it's not worth going to prison for anything, I have a wife, I got kids, and it's not fair what I'm putting them through"

Finally, regarding the certainty of punishment, the accounts of Junior, Gordon and Peter supported Nelken's (2012: 642) argument that "the control of white-collar crime can also play a part in its causation". The offenders claimed that penalizing had changed due to the heavier involvement of the Department of Trade and Industry (regarding trading under

bankruptcy), the Serious Fraud Office (regarding ‘boiler room’ type frauds) or because of the recent economic crisis (regarding mortgage fraud).

Peter: “I thought it would've been a slap on the wrist really. There are other people like me as well, acting as company directors, but they all came down with a big bang...cause you just think that ‘Ah, it’s nothin’, I’ll just work on that company, when I fall that down I’ll move to the next one, but that don’ happen no more...Them government have clamped down now, big time, and there’s big sentences now as well”

In this sense, previous lax enforcement might have played an important role in shaping criminal behavior as risk-free. With respect to mortgage fraud, comparative research in the United States has already suggested that the lack of punitive enforcement created a sense among offenders that committing a mortgage fraud “is a ‘zero-risk’ venture, with few law enforcement resources ready to properly address the issue” (Carswell and Bachtel 2009: 351). The ambivalent role of legal regulation is a distinctive feature of white-collar crime that SAT should consider when establishing why persons with criminogenic morality are not externally dissuaded from criminal acts.

### *Moral habituation*

The final SAT construct that will be examined as potentially relevant to the explanation of white-collar offending is the situational mechanism of *moral habituation*. SAT contends that acts of crime may be caused either by habit or by a more rational deliberation (Wikström 2006). In the cases of *moral habituation*, the offender’s acts of crime will be driven by his/her familiarity with a criminogenic environment and by his/her past successful experiences of

offending in that environment (Wikström 2006: 97-99). *Moral habituation* concerns the developmental aspects of criminality and the duration of criminal careers since it implies enduring patterns of criminal behavior (Wikström and Treiber 2009b). It can help explain one of the key puzzles of life-course criminological theories – the persistence with white-collar offending in adulthood.

All of the participants in the study were persistent offenders. Their offending careers ranged from around nine months (Karl and Mark) to five years (Jake). Wikström et al. (2012: 21) claim that when people act out of habit, “rationality does not come into play because there is no weighing of pros and cons among several action alternatives” or people tend to do what they normally do in such circumstances without giving it much thought. Some of the offenders’ accounts may be supportive of the notion that after the principal motivation for the onset, the crimes might have become ones of habitual choice. The offenders were able to specialize in their crimes due to becoming familiar with a particular *modus operandi* and particular environments facilitative to their actions. For example:

Mark: “I knew that it may land me in trouble, but then on the other hand it’s my house. And then, once you’re sort of into it, I resented doing it every time, but I became a kid in a sweetshop, because I’d done it before, it’s easy to do again, it was there”

Karl: “I did it, went away with it, and thought, ‘Oh, that’s alright then!’ I’ll go on another company and gather all the information on them slowly and build it up, and then I was doing it on a by-monthly basis”

In these cases, and with respect to white-collar crimes in general, some of the factors responsible for a moral habituation might be: a persistent availability of the opportunities to



offend; a persistent encouragement by the rules of the work environment; a stable perception of low risks of being discovered; a persistent lack of awareness by the victim (Piquero and Benson 2004) and finally, the privacy of the work environment.

SAT's concept of habitual choice may provide a novel perspective to the small body of research on white-collar crime life-course criminology and criminal careers (Apel and Paternoster 2009; Piquero and Benson 2004; Weisburd and Waring 2001) with a focus on the ways in which the stability in interactions between the offender and the settings they encounter leads to enduring patterns of behavior (Wikström and Treiber 2009b: 411). However, as Wikström et al. (2012) argue, the extent to which acts of crime are an outcome of habit or rational deliberation is largely unknown, and I would add that it may be difficult to measure the fine distinctions between these decision-making processes in real life.

### **Conclusions, limitations and future research**

The present study attempted to follow Sutherland's (1961) legacy and further our knowledge on white-collar crime causation by applying SAT's full and integrated theoretical framework to white-collar crime - previously unexamined in the context of the theory. Its first contribution is the theoretical application, extension and modification of SAT's interactive constructs to account for the particularities of white-collar crime. Further, drawing on data from semi-structured interviews with convicted white-collar offenders, the article contributes to the paucity of empirical research on the theory with samples of adults (e.g. Antonaccio and Tittle 2008). It is also only the second SAT study based on a sample of convicted offenders (Piquero et al 2016) and the single study that has gathered data on the offenders' actual rather than on a hypothetical crime.

This initial SAT application shows that its constructs can be fruitfully deployed in explaining white-collar crime only to a moderate extent. The study established that there were no

particular motivations to white-collar crime, supporting SAT's arguments that criminal actions are driven by copious motives (Wikström 2010). The study, however, is less supportive of SAT's 'weak law-relevant morality' construct, consisted of crime-conducive moral rules and absence of moral emotions, as the key driver to perceiving white-collar crime as a viable action-alternative to criminal motivation. Previous research has found that morality is a crucial factor in white-collar offending (e.g. Paternoster and Simpson 1996), especially when it interacts with self-control (Craig 2018), but SAT's present concept of 'weak law-abiding morality' was unable to capture the full complexity of morality as experienced by real-life white-collar offenders. The finding that some offenders perceived their actions as wrong and felt guilt whilst doing them, contradicts SAT's premise that a person's morality may be conducive to white-collar crime *only* if he/she does not think acting criminally in a setting is wrong and if his/her moral emotions do not deter white-collar crime (he/she does not feel shame or guilt for acting). The offenders' accounts revealed the importance of acknowledging also the usage of techniques of neutralization, next to perceptions of acts as right/wrong and feelings of guilt and shame. Neutralizations indicate general commitment to conventional morality but they temporarily suspend the hold of moral convictions and feelings of guilt. Neutralizations can explain the offending of individuals with moderate or high 'law-relevant morality' - not predicted by the theory but established also in other SAT empirical studies (Antonaccio and Tittle 2008; Gallupe and Barron 2014). SAT's criminal propensity construct should therefore be modified according to the particularities of specific criminal offenses and, in the sphere of white-collar crime, SAT should consider the psychological and sociological significance of neutralizations when examining individual-level causal factors. Without an extension of the theory's concepts of crime and morality to account for the moral controversies of white-collar offenses it would be difficult to employ SAT as a promising pathway towards furthering the understanding of the

relevance of morality as a causal factor to white-collar offending. Other research on SAT has also suggested the need to incorporate further individual and situational factors to build a fuller model of offender decision-making (Piquero et al 2016). Future research should explore the potential presence and types of neutralizations when measuring moral norms and emotions in other offense types.

A key theoretical contribution of this study is the conceptualization of SAT's environmental factors and situational mechanisms as they relate to white-collar crime features. The workplace environment should be considered its ecological setting while organizational and occupational cultures represent its moral context. *Moral correspondence* may explain crimes within criminogenic workplace cultures. *Conditional relevance of controls* might be more relevant to the explanation of crimes against organizations where deterrence discourages offending. *Moral habituation* provides a novel perspective on white-collar criminal careers.

As predicted by SAT, environmental factors also played an important role in the offenders' decision-making. The accounts revealed that attractive opportunities vested in relationships of trust and criminogenic moral contexts might have strengthened the decision to offend. This finding is in line with extant SAT research on the reinforcement between propensity and exposure (Pauwels et al 2018). The study contributes to further understanding of these mechanics by showing how amplification may also occur through a "selection bias" process: offenders with lax moral rules may be attracted to matching workplace environments. This line of inquiry should be further pursued through incorporating measures based on temporal dimensions or through longitudinal studies (also Piquero et al 2016). Studies should also investigate organizational and occupational cultures as the moral contexts relevant to other crimes associated with an occupational setting (e.g. pilfering at work, police deviance, workplace sexual harassment etc.).

The findings on how the offenders assessed deterrence factors provide mixed support for SAT but are congruent with white-collar crime research on deterrence. There were mixed findings on the influence of the perceived certainty and severity of punishment in the offenders' decision-making process. Some of the offenders, both with criminogenic and non-criminogenic moral rules, were not deterred by the perceptions of a definite prison sentence. This is aligned with other research that has also not found support for the morality-deterrence link (Gallupe and Baron 2014; Piquero et al 2016) with the further distinction that deterrence did not affect even the offenders who thought their actions were wrong and felt guilt whilst doing them. White-collar crime research has also shown little support for the efficiency of both general (Braithwaite and Makkai 1991; Makkai and Braithwaite 1994), and specific deterrence (Weisburd et al. 1995). One of the reasons behind this discrepancy might be the fact that the reliance on relationships of trust and the low informal social control lowered the offenders' perceptions of the risks of being detected. The workplace social connections and the differential meaning of 'trust' than that in the ecology of violent and property crimes (e.g. Wikström et al. 2010), should be taken into account in future SAT and other studies on the factors that underpin the assessment of deterrence of sanctions.

On a policy level, the differential impact of deterrence factors on the offenders' decision-making implies that in white-collar crime persuading offenders to comply should be employed alongside the philosophy of deterrence. An extensive body of regulatory literature has already developed to address the most appropriate mechanisms of instilling ethical judgments in organizations to prevent perceiving opportunities to deviate and abuse trust by colleagues/principals in the first place (for the most influential models see e.g. responsive regulation [Ayres and Braithwaite 1992], smart regulation [Gunningham and Grabosky 1998], and meta-regulation [Parker 2002]. SAT's proposed prevention mechanism of moral education, which encompasses the internalization of legal rules rendering deterrence factors

obsolete (Wikström 2007) takes a similar approach but has been discussed only with respect to internalizing moral rules of conduct in the early family life. To better apply this concept in the sphere of occupational and organizational offending, SAT should consult extant literature on compliance-oriented regulatory approaches, but also the fairly developed and valid criticisms of such approaches (Tombs and Whyte 2013) as well as other literatures that problematize moral education as a form of anti-crime strategy (Palmer 2003).

The study's arguments and findings should be viewed in lines with its limitations. An overall limitation is the small sample of convicted UK male white-collar offenders that limits the findings' generalizability. Given the study's exploratory nature, these findings should serve as a pathway to future research and refinement of the theory. For example, large-scale surveys of convicted white-collar offenders should examine the interaction between personal moral rules and emotions and the presence of neutralizations using non-offenders as a comparison group. The research design is also unable to measure macro-societal factors such as organizational and occupational moral contexts. However, the concepts developed here can serve as a basis for future ethnographic research that can establish an independent and parallel comprehension of organizational moral contexts. A further limitation is that the recollection of the offenders was retrospective. However, the study still provides a better understanding of the role of morality, deterrence and habitual choice in the decision-making of white-collar offenders since it involved "real-life situations and those who have actually committed a crime" (Wikström 2007: 368). The final limitation is the narrow definition of white-collar crime (crimes causing social harms were not considered). Future studies should examine the motivations, moral rules and emotions, and neutralizations in corporate crimes with more tangible harms, e.g. pollution, food poisoning or workplace deaths.

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